

Remarks/Arguments:

Claims 1-21 are pending in the application. The Office Action rejects claims 1-21 as being anticipated under 35 U.S.C. 102(e) by U.S. Patent Application Publication No. 2001/0032144 to Magid ("the Magid Publication"). The applicant respectfully traverses this rejection.

Priority

The applicant respectfully points out that the present application, filed November 9, 2001, properly claims priority from U.S. Provisional Patent Application Serial No. 60/246,944, filed November 9, 2000 ("the '944 application"). The Magid Publication did not publish until October 18, 2001, and the underlying application related to that publication was not filed until January 10, 2001. Accordingly, the Magid Publication is not prior art and all of the rejections must therefore be withdrawn. The Magid application claims priority to Provisional Application Serial No. 60/175,618, filed January 11, 2000, which pre-date the applicant's priority date. A copy of the Magid Provisional Application is enclosed. The applicant respectfully submits that only subject matter disclosed in the Magid Provisional Application can be considered as potential prior art against the applicant's application. Accordingly, in traversing the rejections made in the Office Action, all references to "Magid" relate to the Magid Provisional Application.

Rejections under 35 U.S.C. §102(e)

The Office Action rejects claims 1-21 under 35 U.S.C. §102(e). The applicant respectfully disagrees. Claims 1 and 15 have been clarified to recite specific services rendered by service provider members of the network or service providers at the trade show. Magid relates to a system by which a potential buyer (licensee) of IP can gain access to information provided by a potential seller (licensor) regarding IP for potential sale or license. Significantly, Magid relates only to potential buyers and sellers, not to providers of other services. Claim 1, as amended, is specific to service providers and the services that they provide, none of which are brokerage services of bringing a potential buyer and a potential seller together, nor services of providing a financial market or which can be read to include provision of such a financial market, which are the only types of services arguably disclosed by Magid. Nothing in Magid teaches or suggests that other services desirable for commercialization of IP could be provided in conjunction with the services described. Accordingly, Magid fails to teach or suggest all of the limitations of claim 1 as amended.

Because claim 8 recites "wherein the method *further comprises* creating a financial market for IP assets . . ." and claim 17, as amended, recites wherein the trade show "*further comprises* a dedicated marketplace for buying, selling, auctioning, and bidding on IP assets," respectively, this language differentiates the recitations of claims 8 and 17 from the scope of claims 1 and 15, respectively. In other words, claims 1 and 15, by themselves, do not read on a financial market for IP assets, which is all that Magid could be said to arguably disclose. Accordingly, although Magid may disclose one aspect of claims 8 and 17, it fails to disclose the underlying limitations of claims 1 and 15.

Although the Office Action rejected claim 7, which previously recited many of the limitations now contained in claims 1 and 15, Magid does not disclose any of the services now recited in claims 1 or 15, as amended. Claim 7 has been amended (and claim 22 added) to recite only the inclusion in the network of service providers for providing IP valuation services

for assigning tangible value to IP assets. The applicant discloses that financial markets may be used for determining a fair market value of IP assets (p. 8, lines 9-10), and therefore providers of such financial markets may be said to fall within the category of service providers for providing IP valuation services. To fall within the scope of claims 7 (as amended) or 22, a network would have to offer IP valuation services for assigning tangible value to IP assets *and* one of the other services disclosed in claim 1 or 15, as amended. Magid fails to teach or disclose such a network, because it fails to disclose provision of any of the services listed in claim 1 or 15, as amended.

The applicant respectfully submits that for all of the above reasons, independent claims 1 and 15 of the subject application should be allowed, and claims 2-14 and 16-22 should also be allowed, at least as being dependent upon these allowable base claims. Reconsideration and favorable action is earnestly solicited. The Examiner is invited to call the applicants' undersigned representatives if any further amendment will expedite the prosecution of the application or if the Examiner has any suggestions or questions concerning the application or the present Response.

Respectfully submitted,



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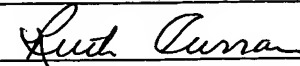
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December 23, 2004



Ruth Curran